

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

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10051, the Secretary of State is granted the authority to revoke the privilege to operate consistent with this chapter.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective March 2, 1979

CHAPTER 11

H. P. 136 — L. D. 146

AN ACT Relating to Avoidance of Contracts Made on the Lord's Day.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 16 MRSA §§ 352 and 353 are repealed.

Sec. 2. 16 MRSA § 353-A is enacted to read:

§ 353-A. **Contracts and torts on Lord's Day**

No deed, contract, receipt or other instrument in writing shall be voidable only because it was made, executed, dated or delivered on the Lord's Day.

Title 17, chapter 105, relating to the observance of the Lord's Day shall not affect the rights or remedy of either party in any action for a tort or injury suffered on that day.

Effective September 14, 1979

CHAPTER 12

S. P. 55 — L. D. 89

AN ACT Empowering Retired Justices of the Supreme Judicial Court and District Court Judges to Sit in Superior Court and Administrative Court Judges to Sit in District Court.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the steadily increasing volume of cases before our judicial courts has created the need to have freely available additional judicial manpower; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 4 MRSA § 6-A is enacted to read:

§ 6-A. Active Retired Justice of Supreme Judicial Court to sit in Superior Court

An Active Retired Justice of the Supreme Judicial Court may be assigned by the Chief Justice of the Supreme Judicial Court to sit in the Superior Court in any county, and when so directed he shall have authority and jurisdiction therein as if he were a regular Justice of the Superior Court; and, whenever the Chief Justice of the Supreme Judicial Court so directs, he may hear all matters and issue all orders, notices, decrees and judgments that any Justice of the Superior Court is authorized to hear and issue.

The order of the Chief Justice of the Supreme Judicial Court directing an Active Retired Justice of the Supreme Judicial Court to sit in the Superior Court shall be filed with the Executive Clerk of the Supreme Judicial Court, but need not be docketed or otherwise recorded in any case heard by him.

Sec. 2. 4 MRSA § 157-C is enacted to read:

§ 157-C. Judge or Active Retired Judge of the District Court to sit in Superior Court

A Judge or an Active Retired Judge of the District Court may be assigned by the Chief Justice of the Supreme Judicial Court to sit in the Superior Court in any county, and when so directed he shall have authority and jurisdiction therein as if he were a regular Justice of the Superior Court; and whenever the Chief Justice of the Supreme Judicial Court so directs, he may hear all matters and issue all orders, notices, decrees and judgments that any Justice of the Superior Court is authorized to hear and issue.

No Judge or Active Retired Judge of the District Court so sitting in the Superior Court shall act in any case in which he has sat in the District Court nor in which he otherwise has an interest.

The order of the Chief Justice of the Supreme Judicial Court directing a Judge or an Active Retired Judge of the District Court to sit in the Superior Court shall be filed with the Executive Clerk of the Supreme Judicial Court, but need not be docketed or otherwise recorded in any case heard by him.

Sec. 3. 4 MRSA § 1158 is enacted to read:

§ 1158. Judge of Administrative Court assigned to sit in District Court

A Judge of the Administrative Court may be assigned by the Chief Justice of the Supreme Judicial Court to sit in the District Court in any district and when so directed he shall have authority and jurisdiction therein as if he were a regular Judge of the District Court; and whenever the Chief Justice of the Supreme Judicial Court so directs, he may hear all matters and issue all orders, notices, decrees and judgments that any Judge of the District Court is authorized to hear and issue.

The order of the Chief Justice of the Supreme Judicial Court directing a Judge of the Administrative Court to sit in the District Court shall be filed with the Executive Clerk of the Supreme Judicial Court, but need not be docketed or otherwise recorded in any case heard by him.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective March 5, 1979

CHAPTER 13

H. P. 61 — L. D. 69

AN ACT to Repeal Certain Requirements for Filing, Recording, Registers, Rosters and Binding and Provisions Concerning Administrative Assistant to the Chief Justice.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 4 MRSA § 11, as last amended by PL 1975, c. 408, § 4, is repealed.

Sec. 2. 4 MRSA § 13, as enacted by PL 1969, c. 467, § 1, is repealed.

Sec. 3. 4 MRSA § 14, as repealed and replaced by PL 1975, c. 408, § 5, is repealed.

Sec. 3-A. 4 MRSA § 55, first sentence, as repealed and replaced by PL 1977, c. 114, § 1, is amended to read:

The clerk of the Supreme Judicial Court shall preserve 2 complete sets of briefs filed in all cases in the Supreme Judicial Court sitting as the law court.